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**Mauss, Interestedness and Disinterestedness: Hawaiian and Maori fisheries**

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**Abstract**

This article uses Mauss's thesis on *The Gift* as a lens through which to critically compare Hawaiian and Māori fisheries. I focus, in particular, on the specific and paradoxical blending of interestedness and disinterestedness in the subsistence sector in Hawaii, and the historical separation of these phenomena in the context of fisheries management in New Zealand. As emergent financial commodities fish symbolize a new type of disjuncture between production and exchange, a disjuncture which is likely to be unsustainable in terms of either human or environmental costs.

**Keywords:** Fisheries, Māori, Hawaiian, gift, financialisation

## Introduction

This article argues that Mauss's thesis on the Gift, or at least core elements of it, provides a valuable lens through which to view the subsistence fishing sector in Hawaii and through which to make a comparison with Māori fisheries in New Zealand. I propose that as a productive activity, subsistence fishing in Hawaii is an expression of the human propensity for merging both self-reliance and social connectedness in a multitude of complex social relationships; that the inseparability of gift and giver is inherent in this process; and that reciprocity, albeit an expanded understanding of this obligation, plays an important role. I then present an analysis of the move towards a financialisation of environmental management as exemplified in the adoption of a quota management system in fisheries in New Zealand. In this process 'sustainability', narrowly conceived of in biological and economic terms, opens a new frontier in capitalist expansion (McCormack 2013). Fishing rights in New Zealand have been privatized (in the form of individual quota) and made transferable. These rights can be exchanged between one property holder and another, or leased to generate additional income, and transactions are regulated by market instruments. Conceptually, it is useful to consider the creation of two different types of fish: capture fish, which are produced and exchanged in historic markets, whether capitalist or otherwise; and virtual fish, which appear in electronic marketplaces and whose defining feature is transferability and wealth creation. The tensions between these different types of fish play out in the lives of Māori fishers.

A fundamental component of these contradictions arises out of exchange activities and from attempts to redefine, and in the process dichotomise, 'gifts' and 'commercial' transactions. Mauss's thesis provides a critical means through which to explore these tensions and to highlight the relationship between the emergence of this opposition and a neoliberal political economy. The ability of neoliberal philosophy and practice to articulate with Māori indigeneity is apparent in the use of individual quota to settle commercial fisheries claims and in the simultaneous creation of Maori customary fishing regulations, the latter of which restrict fishing to ceremonial occasions (McCormack 2010, 2013). My analysis here is less concerned with the regulatory conditions of commercial and customary fishing regimes (McCormack 2012), or with the productive constraints experienced by small-scale producers, but rather, with exploring an initial and striking field observation in Hawaii: local fishermen (or their kin) selling fish on the side of the road, from door to door, to the KTA supermarket chain, and the stark contrast between this and the recent criminalization of a man who has

been caught, on camera, entering a fish shop in New Zealand, not to steal fish, but to offer his catch for sale.<sup>1</sup>

My comparison of Māori and Hawaiian fisheries, hence, is not aimed at assessing the relative sustainability of the two different fisheries management regimes, nor the inclusion or otherwise of customary practices. Rather, by juxtaposing the existence of a spectrum of exchange possibilities in Hawaiian fisheries with the attempted closure of this in Māori fisheries, my objective is to critique the nature of this transformation as well as to highlight some of the resultant social consequences. In Māori fisheries, for instance, the marketization of fishing rights has created a dichotomy between interestedness and disinterestedness, instituted a non-reciprocal model of gifting and in the process disentangled the gift from the identity of the donor. By examining the socio-economic and cultural importance of gift-giving in the context of subsistence fishing in Hawaii, political weight can be given to the ‘obscure aspects of social life’ which can themselves point to new ways of arranging economic life.

This paper is premised on the contention of both Hart (2007) and Graeber (n.d.) that *The Gift*, read as an attack on the logic of the market, is a profound and radical thesis through which to both critique contemporary capitalism and proffer a new type of political economy (a Human Economy, according to Hart 2008). For Mauss, the two prerequisites for being human are to be self-reliant to a high degree and to belong to others, merging our identities in a bewildering variety of social relationships (Hart 2008). While there is a tendency to romanticize gift economies it is perhaps the case that humans do not always want to be enmeshed in webs of obligation. Mauss critiqued the idealization of the archaic gift as ultimately altruistic, but he also critiques the opposite. In *The Gift* his conclusion is that the attempt to create a free market for private contracts, of which modern capitalism is a particularly unsustainable example, is utopian, and just as ill advised as its antithesis, the attempt to create a society based on pure types of generosity. Mauss advocated the universal foundations of human exchange; argued that capitalism worked to obscure other types of exchange, and that to reveal alternatives was both a political and intellectual task that in the end would make plausible a new ethical direction in economic and legal life (see Hart 2007, 2008, 2009).

For Mauss the gift is fundamental to human life and displays continuity across very different historical and ethnographic contexts. Core features of the gift include: a three-fold sequence of obligations (the obligation to give, to accept and to return) which serves to create and maintain social relationships; a merging of the identity of the donor with the gift so that the gift is in a sense inalienable; that the gift is a total social phenomenon being at once economic, legal, religious, aesthetic and moral and the intrinsic and seemingly paradoxical combination of interestedness and disinterestedness. Mauss suggests in his conclusion that the modern contract is the contemporary equivalent to archaic gifting and recognizes the much diminished role of gifting in market economies, thereby hinting at disjunctions rather than historical continuities. Nevertheless, the overwhelming emphasis in his text is on the gift as a universal phenomenon with a fundamentally similar nature across time and space.

The relevance of the entirety of Mauss's gift thesis to contemporary market driven societies has been questioned by a number of scholars who are otherwise sympathetic to his scholarship. For instance, Titmuss (1970), Caillé (2000) and Telstart (1998) challenge the alleged ubiquity of reciprocity in modern gift exchange. Ploeg (personal communication) and Telstart point to variations in the nature, the quality, and the amount of pressure in the obligation to give and to receive, and, given the suggested non-reciprocal character of modern gifting, it has been questioned whether the deep intermingling of the identity of the giver with the thing transferred now exists, if indeed it ever did (see Firth's critique of the *hau* of the gift)<sup>2</sup>. Yet Silber's work on modern philanthropy persuasively argues for an ongoing and lasting interpenetration of gifts and personal identities (1998,140-141).

A further observation, and the one most pertinent to this paper, focuses on the unlikely synthesis of interestedness and disinterestedness in modern gifting. Mauss comments 'the theme of the gift, of freedom and obligation in the gift, of generosity and self-interest in giving, reappear in our own society like the resurrection of a dominant motif long forgotten' (1967, 66). He suggests that it is untenable and dehumanizing to attempt to dichotomize ideas of the gift and disinterestedness with that of interest and the individual pursuit of profit, 'concepts which we like to put in opposition- freedom and obligation; generosity, liberality, luxury on the one hand and saving, interest, austerity on the other – are not exact' (1967, 70). Yet it is the attempted creation of this very distinction which Mauss, and more recent scholars, have, for various reasons, identified as a peculiarly modern development.<sup>3</sup> A distinction which is apparent in the separation of Māori commercial and customary fisheries

and the associated redefinition of commercial exchange as entirely interested and gifting as entirely disinterested. Parry (1986) claims that the ideology of absolutely self-interested exchange emerges in conjunction with the ideology of the purely disinterested gift. Carrier argues that the concept of the perfect gift in the West is shaped by the rise of industrial capitalism. 'Free and disinterested givers and recipients who transact unobligating expressions of affection come into cultural existence with the shift of production out of the affective and substantial relations that exist in the household to the impersonal relations of wage labor and capital' (Carrier, 1990, 31; see also Carrier 1991). The ideology of purely disinterested giving, where the gift's material value is irrelevant and the gift itself is 'a pure expression from the heart that does not bind giver and recipient' (Carrier 1990, 20-21), does not mesh with reality. Gifts are often recurrent, predictable and socially regulated (Carrier 1991).

Similarly, the ideology of absolutely self-interested exchange is ethnographically flawed, even in highly capitalistic societies. Graeber identifies 'communism' as a principle immanent in everyday life (2010, 3), thus, 'If someone fixing a broken water pipe says "hand me the wrench", their co-worker will not usually say "and what do I get for it?" even if they are working for Exxon-Mobil, Burger King or Royal bank of Scotland...It's one of the scandals of capitalism that most firms, internally, operate in a communistic way' (2010, 3). That different and contradictory types of exchange exist in any society, even though they may be coloured by a dominant transactional form, is an important Maussian insight. Such contradictions exist in Māori fisheries, mostly under the radar of government policing and compliance agencies. That these, arguably, human varieties of exchanges contravene existing legislation, are subject to litigation in court, and increasingly evoke vehement public sentiment, is indicative of the power of quota systems to not only marketise fisheries but to induce a philosophical transformation in how we think about production and where we situate value. Equally important in Mauss's political agenda is to provide a corrective to this obfuscation; to address critically the political and economic processes through which interestedness and disinterestedness come to be disassociated. In this context, the implementation of a quota management system in Māori fisheries is implicated in the restriction of interestedness to processes of privatization and transferability in virtual fish, and disinterestedness to the production of capture fish for ceremonial, non-reciprocal, occasions.

Hart suggests that the ideological opposition between a western commodity economy and an occidentalized gift economy, which became conceptually paramount from the 1980s in Anthropology, is connected with the era of neoliberal ascension (2007, 9). Bourdieu's later work delivers an uncompromising attack on neoliberalism and its champions (2000). In *Pascalian Mediations*, the most sharply political of his writings, his earlier interpretation of disinterested giving as symbolic violence and a mode of domination (see Silber 2009) is seemingly reversed. Rather, echoing the political vision in Mauss's final chapter in *The Gift*, Bourdieu argues that disinterested giving has been suppressed by neo-liberalism and needs to be cultivated again:

The purely speculative and typically scholastic question of whether generosity and disinterestedness are possible should give way to the political question of the means that have to be implemented in order to create universes in which, as in gift economies, agents and groups would have an interest in disinterestedness and generosity, or rather, could acquire a durable disposition to respect these universally respected forms of respect of the universal (Bourdieu, 2000, 201-202).

It is the specific and paradoxical blending of interestedness and disinterestedness in Mauss's conception of the gift, and conversely, the historical separation of these phenomena in the context of a neoliberal fisheries management regime in New Zealand that I will explore in my study of Hawaiian and Maori fisheries.

This paper is divided into four parts. I first discuss the evolution of a potential subsistence fishing category in Hawaiian fisheries and then, drawing on ethnographic data, describe the different types of exchanges that exist. The third section contextualises the development of fisheries management in Hawaii and New Zealand. In the fourth section I trace the evolution of quota in New Zealand, from freely transferable property to a potential asset in financial circuits.

### **Hawaii Subsistence Fisheries**

In popular jargon the term subsistence implies eking out a bare existence or a livelihood that minimally provides for life's necessities. The social science literature on subsistence suggests two distinct types of activities – economic subsistence production and socio-cultural production (Berkes 1988; Brown, Xu, and Toth 1998; Eversole 2003; Feige 1990; Freeman 1993). These alternative conceptualizations are variously associated with different academic

schools and their accompanying conceptual paradigms, global regions and ethnic groups. Economic subsistence fishers, for instance, are typically identified with the global north and are analysed as part of the informal economy, whereas socio-cultural subsistence fishers are identified with the global south, or with indigenous groups within the global north, and such fishers are assumed to engage in ‘cultural exchange’ and a gift economy (Akroyd and Walshe 2000). This categorization mirrors the schism implicit in accounts of the alleged impossibility of co-existence between commodity economies and gift economies. As an analytical tool the distinction between market and non-market exchange in subsistence production is of dubious value, rather, what is likely to be essential is the intersection between the two. In fisheries, the articulation between market and non-market, however, is difficult to replicate at the concrete level of policy. For monitoring and management purposes fisheries are commonly divided into commercial and recreational sectors. The former typically has a licensing requirement, or in the case of the Quota Management System, exclusive property rights attached while the latter does not, and, commercial fishers are subject to monitoring and compliance regimes, whereas for recreational fisheries this is often not the case. As a general rule, the crucial distinction between the two sectors hinges on whether fish is sold for cash (commercial) or whether it is kept for home consumption and/or is gifted (recreational). Subsistence fishers are most often allocated to the recreational category. Although this managerial categorization reflects the rhetoric of sustainable management (i.e. stock can be monitored and stock depletion avoided), at the same time, it is the outcome of a deeply political decision that reflects socio-economic developments in the wider political economy.

As is almost universally the case in fisheries management, Hawaiian fisheries are categorized into two distinct sectors, commercial and non-commercial. The Hawaii Division of Aquatic Resources (HDAR) requires that those who fish for ‘commercial purposes’ hold a Commercial Marine License. Commercial purpose is defined as ‘the taking of marine life for profit or gain, or as a means of livelihood, when the marine life is taken in or outside of the State, and when the marine life is sold, offered for sale, landed, or transported for sale anywhere in the state’. The license fee of \$50 per year (\$200 for non-residents) is renewable annually and for monitoring, assessment and policy-making purposes, holders are required to present a monthly report with respect to marine life taken and bait used.

The non-commercial sector is made up of recreational and subsistence fishers. There is no licensing system for non-commercial fishing. Neither subsistence nor recreational fishing is formally defined by the Hawaii Division of Aquatic Resources. Recreational fishing, however, is popularly understood to mean fishing that is undertaken primarily for enjoyment/sport rather than for food or monetary purposes. The sector includes charter boat fishing and fishing tournaments, both of which are integral parts of the tourist market<sup>4</sup>. Hawaii has the most developed recreational fishing infrastructure in the US Pacific and these activities make a substantial economic contribution to the State.<sup>5</sup>

In actual everyday practice the distinction between commercial and non-commercial is far from clear-cut. Many fishers who sell fish do not consider themselves to be commercial fishers and overlook or ignore the HDAR requirement to possess a commercial license (Hospital, Bruce and Pan 2011; Zeller, Booth and Pauly 2007). Some fishers may sell fish under another person's license and on any particular fishing trip fishers may decide to sell their fish only after the fish has been harvested, and this decision is based on a multitude of factors (Glazier 2007). Although the non-possession of a license somewhat restricts the sale of fish to shops and restaurants, there are a multitude of alternative sites for exchanging fish for cash, for instance, stalls at the side of the road, through established social networks, to passers-by and to fish brokers/buyers.<sup>6</sup>

At the policy level three developments point to the emergence of a distinctive understanding of subsistence fishing in Hawaii. First, in Hawaii 'barter' is considered to be an important characteristic of subsistence practices in contrast to Federal Law where it is described as a commercial activity (the Magnuson-Stevens Fishery Conservation and Management Act). Second, there is a growing awareness of the importance of non-commercial catch in terms of food security and cultural identity. Fish consumption in Hawaii has been historically high relative to other American States and has increased over time. From 2000 to 2009 the average annual consumption is estimated to be 1.8 times that of the US as a whole (Geslani, Loke, Takenaka and Leung 2012). Approximately 51% of the seafood eaten in Hawaii is produced in Hawaii and non-commercial catch contributes approximately 39% of local production (Geslani et al 2012). Approximately a third of households fish non-commercially (Hamnett, Liu and Johnson 2004). Third, in Hawaiian fisheries management circles there is a burgeoning interest in the phenomenon of 'cultural exchange', a particular type of fish flow which is understood as a mechanism for maintaining social ties and culture, a non-market



activity that differs from barter, trade or sale even though cash can be involved (Severance 2010; NOAA, n.d.). Given the anthropological content of this formulation, it is unsurprising to note that at least two anthropologists hold key research positions within Hawaii fisheries management.

As noted, there is no formal definition of subsistence fishing in Hawaii, however, an emerging, though as yet not fully coherent description tentatively postulates that the distinction between ‘economic’ and ‘socio-cultural’ subsistence fishing is arbitrary (see for instance Friedlander and Parrish 1997; Glazier 2009; Severance, Franco, Hamnett, Anderson and Aitaoto n.d.). A 2008 draft paper prepared for the Western Pacific Regional Fishery Management Council (NOAA n.d.) on subsistence fishing points out that customary exchange, barter and trade are all important components of the subsistence fisheries complex. It might be postulated then, that subsistence fishers are not motivated solely by economic survival, accumulation or interestedness on the one hand, nor, on the other hand, are they purely concerned with cultural obligations or disinterestedness. Gifting fish is essentially ambiguous, it may be both self-interested and disinterested, motivated by both generosity and calculation or the expectation of return.

### **Exchange in Hawaiian Fisheries**

The following discussion draws on ethnographic fieldwork, informal interviews and small surveys on the Big Island of Hawaii carried out over a period of two years. The ethnographic research was predominantly based in a Hawaiian Homelands community and its surrounds on the Eastern side. In addition I spent a total of about one month in a small Hawaiian fishing community on the Western side in South Kona. The surveys tracked the distribution of fish by six fishermen over a period of five months. All, except one of the surveyed fishers are either Native Hawaiian or ethnically ‘local’, that is a mixture of predominantly Hawaiian, Filipino, Japanese, Pacific Islander and Portuguese ethnicities whose language of choice is Hawaiian Creole English (pidgin). The exception is a Caucasian, though also a pidgin speaker. Two of the fishers were unemployed, one fisher earned \$50,000 per annum while the other three earned between \$8, 000 and \$28,000 (approximately) all in non-fishing related jobs.

The thesis advanced by Hau’ofa (1993) on the deep intertwining of Pacific people’s identity with the Pacific Ocean, although overly generalized and problematically romantic, resonates

in the social landscape of Hawaii where the sea is a ubiquitous component of everyday experience. Fishing is an expression of this identification. For Native Hawaiians to be an esteemed fisher has a high cultural value; it indicates a perceived traditional ability to provide food from the land or seascape as opposed to changes precipitated by the introduction of capitalism and wage labour; it signifies the *ohana* values complex in its capacity to feed kin and fulfil reciprocal and ceremonial obligations as distinct from the perceived *haole* (non-Polynesian/white/outsider) values of individualism, and, it indicates a deep cultural and environmental knowledge. I was emphatically told by a young Hawaiian from Molokai that ‘to be a fisherman is to be Hawaiian,’ and, an older Hawaiian *kupuna* (elder) characterized fishing (alongside taro growing and hunting) as ‘real culture.’ Mauss’s thesis on the deep identification of the giver with the gift is insightful as gifting fish maintains significant aspects of personalization. Recipients, for instance, have personal ties to the fisher and often also to the family of the fisher, stories are recounted concerning the donor’s fishing exploits and prowess and when the gifted seafood is dried or processed as *poke*<sup>7</sup> distinct tastes also become associated with particular fishers.

Generally, unless specifically asked to supply fish for an event such as a *Lu’au*, (traditional feast/party) fishers often only decide what to do with their catch after their fishing trip. Although a headache for fisheries managers, this seeming spontaneity relates to the uncertain nature of fishing and the fact that fishers respond to opportunities as they arise; for instance giving fish to a nearby fisher who has had less luck, selling catch to people who asked to purchase fish and even buying fish from another fisher when their own trip had been unsuccessful. Yet, fishers also act in accordance with the reciprocal obligations and subsistence networks they are part of, and in this sense, these obligations pre-date each fishing trip and may even be the motivation for the trip. Mauss’s notions of reciprocity and exchange are useful for understanding the apparent and paradoxical blending of interestedness and disinterestedness, though the three fold sequence of obligations is not as neat, nor necessarily as apparent, as he surmises. And even if the return gift is made in the medium of money this does not imply an automatic conclusion to the social relationship nor a process of depersonalization.

Fishers gift fish to people who ‘help them out,’ to whom they ‘owe things’ and to people in return for ‘favours.’ Such reciprocation is for both material gifts (other food stuff, beer, and cash) and for services (e.g. help with car repairs, lifts to other parts of the island). Fish is

typically gifted to close kin (sisters, children, parents, cousins, grandparents etc.) older community members, close friends and sometimes work mates. While fishers explained their gifts in terms of a discourse which emphasized sharing, cultural values and the obligations inherent in being a fisher, they also stopped gifting seafood to people they perceived to be ‘not appreciative,’ or ‘who don’t deserve it’ or who ‘treat me wrong’ or if they are able to catch their own fish yet are ‘too lazy’ to do so.

The interestedness/disinterestedness paradox is also a useful framework through which to explicate the post-landing distribution of fish as potentially both gift and exchange. After a diving trip in which a fisher had caught an Uku, a Moana Kalie, and an Uhu the first fish was given to his boss, the Moana Kalie was sold to the restaurant in which his girlfriend worked and the Uhu was given to a close friend. Another fisher who had caught eight fish on a particular day sold a large Omilu, a Kala and two Uhu to people who had approached him on shore and gifted two Menpachi and two Moana Kali to his grandmother’s household. The sale of fish can offset fishing costs yet can also be an important source of income particularly in periods of unemployment and for those in low-wage employment. Fish is also sold to raise money for particular events, for instance, Christmas presents, a trip overseas, or to provide the means for a child to attend a sports tournament on another island. An older Hawaiian/Filipino fisher, recognized locally for his expertise, sold reef fish and tako during a recent year-long period of unemployment. Seafood was most often sold door-to-door in a known Filipino neighbourhood, where ‘they look after their old people and like to give them fish, its healthier and softer than meat.’ He started the selling process by suggesting a high price in the knowledge that he would be bartered down by astute buyers. During this same period he continued to process fish as poke and gifted this to relatives who resided in an old people’s home. Since starting a 25 hours-a-week low waged job (US\$7.15 per hour) he is less likely to sell fish though still does so on request or when he (or his children) are in need of extra cash. Depending on the weather he fishes or dives most days after work, gifting fish typically to the household of his younger children, to an older daughter, his cousin, his sister and to older people in the Filipino community. Although adamant that he has no expectations of a return, reciprocation is apparent – for instance his cousin, a trainee mechanic, fixes his car, his sister drives him to the other side of the island and some of the older people help him with occasional gifts of cash.

The specific blending of economic survival and cultural obligations appears to be less conjoined in the seemingly disinterested sharing of seafood in predominantly Hawaiian communities. In possibly the most comprehensive ethnographic study of a contemporary Hawaiian community Linnekin (1985) describes Keanae on the Island of Maui as a traditional community bounded in opposition to a larger plural society ('inside' versus 'outside') and whereas gift exchange and kinship are the major structuring forces inside, the world of money dominates the outside. Linnekin's Keanae *kama 'āina* (child of the land/local) stand as the representatives of an authentic and orthodox identity in opposition to a largely assimilated Hawaiian culture. In Linnekin's analysis this orthodoxy is rooted in a rejection of market exchange and the alienated possessive individualism that is held to accompany this type of engagement. Linnekin's dualistic account of opposing a gift to a commodity system of exchange may, however, be too simplistic.

In the Hawaiian Homelands community, and the Hawaiian South Kona fishing village, selling seafood within the community is largely considered to transgress cultural norms. Indeed, any sale of seafood evokes a moral discourse which associates the sale of fish with commercial activity, stock depletion and an individualistic value system. Again, although selling fish from roadside stalls or the back of trucks is a common sight in Hawai'i, this is not the case in these two communities. Yet, fishers do also sell fish, though typically outside of the community. Fish is sent to relatives on other islands for the purpose of sale, sold through contacts in the surrounding area and in the Kona community, a tuna fisher sold fish in \$10 or \$20 pieces in a popular tourist destination a few kilometres distant. Economic necessity is cited by fishers as a reason for sale, and there is a degree of empathy and appreciation for the resourcefulness of such fishers. In general, fishing is materially important. In times of financial pressure when wage work is unavailable, or wages are meagre, the possibility of selling fish mitigates hardship to an important degree and reduces the pressure placed on household economies.

The gifting of seafood to extended kin within the community, and the supplying of seafood for ceremonial occasions, is an important cultural obligation that corresponds to Mauss's three-fold system. This sharing may also be rooted in an adaptation to the social and economic pressures of modern capitalism (see also Glazier 2007, 2009 and Glazier, Carothers, Milne and Iwamoto 2013). Both Hawaiian communities are relatively deprived and poverty is prevalent. A Hawaiian fish seller told me that although she would gift fish she

would never sell in the Homelands community simply because people there did not have enough money. The dichotomisation of interestedness and disinterestedness is complex; gifting is culturally valued and may be an economic necessity, whereas selling is associated with ‘foreignness.’ It seems to me that it is likely that although a discourse exists in which a moral evaluation is used to distinguish between fish as gift and fish as commodity, this opposition is largely ideological. Arguably this distinction has its origins in the division between commercial and recreational fishing, and a sensibility surrounding the issue of sustainability which tends to associate any fish transaction in which money is involved with stock depletion. A homelands *kupuna* who fished with his grandfather and cousins in the 1950s and 60s ‘when the bay was like an aquarium’ described a variety of exchange types that typically took place post-landing. People would gather when they reached the shore and by indirect questioning ascertain whether or not the trip had been particularly successfully and what the fishers intended to do with their catch. His grandfather would offer fish to anyone who asked in this way, the ‘real’ people would take the small ones whereas the ‘not real’ people would take the big ones. They also dropped off fish at various homes, particularly those of close kin and older community members. This gifting did not result in direct, immediate or equivalent returns, ‘people were skilled in different things. Every family had a taro grower, a hunter...’ and would later return the gift with different types of meat or produce. The grandfather would then go to the local store and trade fish for shop goods such as rice, and, on occasion would sell fish at the local Hilo fish auction.

Seafood is extensively shared. While this can be seen in terms of ‘interestedness’, at the same time it has to be recognized that sharing is a deeply valued practice. MacGregor (2007) and Glazier et al. (2013) argue that such sharing can itself be considered an important organizing element of local society in general. Sharing seafood is bound up with reciprocal exchange networks, an adaptation to the discriminatory effects of a modern market economy<sup>8</sup> and is deeply culturally significant. The cultural significance of sharing lies in the social networks it references and the cultural values and identity markers it embodies. Such Native Hawaiian values and practices include the importance placed on *Ohana* (extended family) and one’s obligations to it and *mahele*, the sharing of food, goods and services. These values and practice are, however, not limited to Native Hawaiians rather they permeate the wider society and inform the behaviour and practices of many fishers, particularly those who are locally born.

### **Development in Maori and Hawaiian Fisheries Management**

The comparison between fisheries development in Hawaii and New Zealand is apposite: both are Pacific islands with substantial coastal resources and both have been settled by Polynesian peoples with an extensive maritime history and for whom seafood is an ongoing important physical and cultural food source. Seascape was ostensibly owned and managed in a sophisticated way by coastal *hapū* in (sub-tribe) New Zealand (*rohe moana* [seascape/sea territory]) and in Hawaii through the *Ahupua'a* system<sup>9</sup>. Colonization, privatization, capitalization and modern fisheries management regimes have ridden roughshod over these claims to ownership. Fisheries regimes, underpinned by developments in the disciplines of economics and biology, have been implemented in a standardized and centralized form and are often at odds with local and traditional practices. For Native Hawaiians and indigenous Māori there are ongoing struggles to reclaim coastal ownership and assert the validity of traditional fisheries management practices. These struggles are variously denied, gain traction, become incorporated or otherwise fade and effervesce in the shifting climate of highly developed, significantly globalized Pacific Settler States with an important and vocal indigenous presence.

Politically, Hawaii, like New Zealand, is a post-colonial state yet in Hawaii there has been no formal indigenous reparation of fisheries. Although indigenous claims and various compensatory schemes have long existed in respect to land in Hawaii, there is no equivalent to the systematization of indigenous claims generated by the implementation of the Waitangi Tribunal process in New Zealand in the mid-1980s. The Waitangi Tribunal was established within the context of extensive neoliberal reforms in New Zealand and the parameters of indigenous settlement packages must be understood within this framework (McCormack 2010, 2011, 2013). Although providing an opportunity for Māori to engage with contemporary capitalism, settlements can also be seen to have resulted in the realignment of indigenous property regimes with an intensified program of privatization and commodification, the extension of economic rationality to formerly non-economic domains and the individual subject, and, the essentialization of indigenous identity and practices. These processes find concrete expression in the settlement of Māori claims to fisheries, a development which occurred simultaneously with the introduction of an Individual Transferable Quota Systems in fisheries management, a system in which fishing rights are privatized. In Hawaii, which was annexed in 1898, policy decisions have created an open

access regime out of what was in effect a commonly managed resource (see Kaiser and Roumasset 2004).

The use of Quota management systems (alternatively called catch shares) as a fisheries management tool has long been critiqued by social scientists for their socially deleterious consequences (Helgason and Pálsson 1997; Mansfield 2004; McCormack, 2010). This commentary is most often rooted in a social justice concern relating to the inequalities that inhere when natural resources are commoditized and privatized, and the potential pitfalls of entrusting the 'market' to allocate use rights (quota). Quota systems are an integral part of neoliberal reform processes and much of the research explores the specific consequence of privatization in fishing and questions the ideological zeal driving such reforms (Duncan 2011; Mansfield 2004, 2008; McCormack 2010, 2013; Minnegal and Dwyer 2008). While accounts of quota systems as neoliberal are important to any understanding of shifts in property regimes and enclosures, the tradability characteristic of quota as a new type of investment and abstracted exchange mechanism is often overlooked. Recent work on the financialisation of nature draws attention to the key role quotas are assuming in this process.

### **Quota as Property and Financial Asset**

Smith (2007) intimates that something new is afoot, namely, that emerging environmental markets accomplish the capitalization of nature more profoundly than either extractive resource capitalism or agricultural capital, in the process transforming nature into a thing that can be fully abstracted into exchange value and financialized.<sup>10, 11</sup> Thus, fish have not just been redesignated under quota systems as resource commodities but are now entirely reconstructed as financial commodities. The continuities and discontinuities between neoliberalism and financialisation are complex, not least because there are multiple and competing interpretations of both terms. I suggest, however, that analysing quota systems as part of a process of financialisation is a fruitful way to grasp the specific exchange mechanisms that underwrite the emergent type of property regime in maritime resources.

Following Epstein, I take financialisation to refer to the increasing importance of financial markets, financial motives and financial elites in the operation of the economy and its governing institutions, both at the national and international level (2002). Kotz (2010) persuasively argues that the immediate cause of the financialisation process of recent decades is rooted in neoliberal restructuring in the 1970s and 1980s. This restructuring of the

institutional arrangements of capitalism, from a previously regulated era, set the stage for the expansionary role of finance in economic activity, and the classification of more and more social and natural domains as 'economic'. Yet, financialisation also preceded neoliberalism. As a key tendency in corporate capitalism, financialisation was more or less constrained by whatever specific institutional arrangements capitalism assumed at different points in its history. Neoliberalism essentially lifted the floodgates. Kotz (2010) contends that the financial sector displays specific qualities under neoliberalism. In the current era the financial sector does not stand in a relation of dominance vis-à-vis the nonfinancial sector (as it did in the 1920s, pre the 1929 economic collapse) rather, the financial sector is independent of it. It is this seeming independence that helps explicate the discontinuities between quota holders, leasing arrangements and fishers.

The essential features of the New Zealand's commercial fishery regime revolve around ownership of, and access to, fishing rights. These rights include the right to catch and sell a specified quantity (in tonnage) and species of fish from a defined area (a Quota Management Area) and are embodied in individual transferable quota rights. Like any other private property right, quota can be bought, sold or leased. In 1983 quota was 'gifted' to qualified recipients (based on fishing history and capital investment) but in the following years it became increasingly consolidated. At present eight companies control 80% of production. Māori were disadvantaged in the initial gifting having neither the capital nor the catch history to qualify individually as recipients (fishing had been part of a mixed economy, and was a seasonal activity). This led to a pan-Māori claim which was 'fully and finally' settled in 1992 with the return of property (in the form of quota), cash and 50% ownership in Sealords Fishing Company. Since 2004 Māori quota has been distributed to 57 Mandated Iwi Organizations; bodies which have been newly reconstructed along corporate lines in order to qualify as quota recipients. Māori are currently major players in the industry: in 2009 the total estimated commercial resource value of fisheries in New Zealand was 4 billion NZ dollars. Commercial fishing is consistently New Zealand's fourth or fifth largest export earner, about 90% of fish by value are exported and since 2000 the yearly export earnings have been on average 1.3 million NZ dollars. Māori control up to 37% of domestic fishing quota. Of the five largest seafood companies three are Māori owned. Yet, despite this apparent affluence the majority of Māori have not benefitted in monetary terms. Further, and ironically, neither have coastal Māori regained the right to make a livelihood from what is perceived of as an ancestral resource. Arguably, this disparity is rooted in four interrelated phenomena: first, the



consequences of financializing fisheries; second, the seeming independence of the financial sector from production; third, the probability that Māori fishing rights are assuming an increasingly ascetic and symbolic status, and fourth, the specific articulation of this process with the development of a post-settlement (in the case of fisheries) Māori society.

The financialisation of fisheries is apparent in activities surrounding quota transference, the remodelling of quota to better enable financial trading, the growth of markets and businesses around quota trading, the increasing off-shoring of the industry and the elite control of this financial activity. Since 1986, when the QMS regime was first instituted, it has progressively morphed into a sophisticated financial sector. The QMS manages virtually all commercial species, and although quota was initially allocated based on catch history and financial commitment, new quota is now auctioned to the highest bidder. In 2001 new legislation was enacted to finesse the distinction between ownership and exchange rights. Annual Catch Entitlements (ACE) were introduced to effect a clear separation between harvesting rights and ownership rights. This enables a quota owner to sell current harvesting rights whilst maintaining long-term ownership rights. This points to a radical change in the role of property. In his analysis of Māori settlements Van Meijl (2013) contends that in modern economies the idea of exchanging property in markets, a defining feature in capitalist economies, is now becoming an anachronism. Although property continues to exist it is much less likely to be exchanged, which in turn forces owners to hold on to their property and to seek different ways to generate income from their assets. ACE provides an ideal solution to this tension. The role of government in quota management has gradually been eclipsed, and services surrounding quota and ACE maintenance, the management of share registers, the registration of ACE transfers, the registration of caveats and mortgages over quota shares, the recording of catch effort returns and vessel registration, amongst other statutory requirements, have been outsourced to FishServe, a privately owned company. Quota trading occurs via brokers and bilateral trading agreements. Most small and medium sized quota holders transact via brokers, whereas larger companies often employ specialist personnel to engage in bilateral trading with other large companies (Lock & Leslie 2007). Various online systems have emerged in conjunction with these exchanges. Among the many instances are FishStock which provides an online auction system for dealing with the buying and selling of ACE; FishTech Ltd which offers an ACE 'balancing service' which purports to optimize the value of ACE distribution; and FinestKind, a company which sells seafood, sources quota and acts as a broker.

Commercial fishing in New Zealand is increasingly a global phenomenon. This transformation is apparent in both the production and exchange of fish. New Zealand quota holders increasingly trade their annual catch entitlement (ACE) to foreign charter venture companies whose lower operating costs, while contributing to accusations of slave labour, mean higher returns for quota owners. In the last fifteen years, the post-harvested processing of fish has shifted to China, where the potential to maximize financial returns through increasing yields and the utilization of low labour costs means that it has become the commercial option of choice for most of New Zealand's largest seafood processing companies (Stringer, Simmons and Rees 2011). These trends articulate with a concentration of fishing rights and quota ownership, a decrease in new entrants, changes in the Total Allowable Catch for various species and reference the new ways in which fishing firms are seeking returns on their investments. They also, by implication, are associated with a decline in the processing of fish in New Zealand's coastal communities and a decrease in the number of locally based commercial fishers.

A good example of the elite control of quota and the independence of the financial sector from production is provided by the operation of Māori fisheries. I will briefly draw on the fisheries post-settlement history of one *Iwi* (tribe) to illustrate this process, and although different *Iwi* will of course have different stories, there is a general commonality of experience.<sup>12</sup> Waikato Tainui has an extensive tribal estate, a membership of approximately 60,000 individuals (67% live in the tribal area, 28% elsewhere in New Zealand and 5% overseas) and is comprised of 33 *hapū* and 68 marae (meeting house complex) (two of which are non-beneficiaries). Since an emotionally charged historical land alienation settlement in the mid 1990s (see Hopa 1999; Van Meijl 2003) the *Iwi* has emerged as a significant economic force in the region with net assets amounting to approximately \$658 million and a yearly revenue of approximately \$34.7 million. Tainui Group Holdings and Waikato-Tainui Fisheries are the commercial entities of the tribe, and in 2011 had a combined net operating profit of \$15 million (Tainui Group Holdings (TGH) & Waikato-Tainui Fisheries Limited 2011). The self-professed objective of these bodies is wealth creation, 'to deliver commercial returns on assets for the Waikato-Tainui people' (TGH & Waikato-Tainui Fisheries Limited 2011: 2). This is kept distinct from wealth redistribution which is handled by a separate body, Waikato-Tainui Te Kauhanganui Incorporated, which received a \$10.5 million dividend in

2011. The combined debt of the commercial entities runs at around \$200 million and this is managed through a financial instrument designed to hedge interest rate risks.

In terms of fisheries, wealth is generated ‘by investments in fishing managed funds and equities’ (TGH & Waikato-Tainui Fisheries 2011: 26). TGH is the asset holding company of quota and other assets allocated under the 2004 Māori Fisheries Act. In 2011, five percent (with a monetary value of NZ\$ 1, 735000) of the total commercial revenue was earned by leasing quota<sup>13</sup>. TGH quota investment is \$20 million, which provides a return of 7.6%. The company has entered into an alliance with two other Mandated Iwi Organizations through which they lease out the aggregated quota held by the three *Iwi*. None of these *Iwi* actually fish their quota, a common enough practice. Wealth is also generated through income shares. Waikato Tainui Fisheries holds 5.5% of the income shares in Aotearoa Fisheries Limited, a Māori owned fishing company that has grown since the 2002 fisheries settlement into one of New Zealand’s largest fishing companies. The financial market in fishing quota has recently been supplemented by the Emissions Trading Scheme, a carbon market with opportunities for global trade and in which TGH has been granted units for the quota held in fisheries.

The wealth generated from TGH investments, including that created from quota leasing activities, is distributed to beneficiaries in the form of dividends to *marae* for upkeep, tertiary scholarships and so on. Yet, the trickle-down effect to individual Māori is virtually non-existent. Ngapare Hopa contends that in Waikato-Tainui (of which she is a member) this is a result of the capture of wealth by an elite which was enabled by an articulated manipulation of Māori kinship organization by both the Crown and Maori treaty negotiators; Treaty settlements with Waikato-Tainui elevated the status of *Iwi* and disempowered *hapū* and *whanau* (extended family), resulting in a centralized and corporatized control over communal resources and wealth (1999). This is further complicated in Waikato-Tainui by the existence of a Kingly lineage to which wealth and power accumulates. Hopa’s critique is corroborated by Angeline Greensill (Tainui *Iwi* and member of a non-beneficiary coastal *marae*) who argues that this disenfranchisement of *hapū* is exacerbated by Treaty settlement dividends being allocated to *marae* rather than *hapū*, and representation at central decision-making structures being determined by *marae* rather than *hapū* membership (2010).

Questions have also been raised concerning who now has responsibility for the dire socioeconomic status of the vast majority of Maori who continue to be trapped in a cycle of

poverty. Is social justice and services, for instance, to be delivered by the government, which, under Article Three of the Treaty of Waitangi has an obligation to ensure that Māori have the ‘rights and privileges of British Subjects’, or, given Treaty settlements, has this responsibility now shifted to *Iwi*? Van Meijl points out that most tribes contend that this obligation rests with the government (2013). A further complication arises from the circumstance that recipient tribes commonly apply for incorporation as a charitable trust, a status which, while exempting them from paying tax, also prohibits the donation of funds to individuals. Grants can only be made available for the ‘society’ and its purposes (Van Meijl 2013: 42-43).

Given the disparity in wealth within Māori society a number of commentators argue that Treaty settlements are themselves facilitating a gradual transformation of tribal hierarchies into class distinctions (see Rata 2011; Van Meijl 2013). Yet, this is not the full picture. The indigenous settlement of Māori fisheries rights occurred simultaneously with the financialisation of fisheries, a process which has increasingly influenced the production and exchange of fish, to an important degree coerced the behaviour of actors within the sector, elevated the status of traders and brokers whilst devaluing the knowledge associated with harvesting, the result being the transformation of nature into a financial derivative. Quota trading works through a radical disembedding, in this instance disembedding the economic issue from the historical question of how to manage fisheries in a way that sustains coastal communities and the ecosystems on which they depend, an issue that may be even more crucial for indigenous fishers. In Maussian terms, quota trading has led to a deep separation between the giver and the gift. This is not just in terms of a separation between fishers and fish, but between fishers and virtual fish, and quota traders and fish in the sea.

For the coastal Maori *hapū* and *iwi* of Waikato-Tainui fishing for a livelihood has become an anachronism. This loss is felt not just as an economic deprivation, but also as a cultural violation. What remains for such coastal peoples is a legal channel through which to assist in conservation and through which to produce fish for the purpose of purely disinterested gifting. In the Māori fisheries settlement fishing rights were divided into ‘commercial’ and ‘customary’ sectors. This distinction, as noted above, has created an enormously wealthy and financialized commercial sector and an increasingly alienated customary sector. The opportunity for subsistence fishers to directly sell their catch in Hawaii is a striking difference. In New Zealand fisheries the exchange of fish for cash is considered categorically

commercial and is legally restricted to the quota regime. Consequences for infringing this rule are severe. Māori customary fishers can fish for ceremonial occasions (specifically *hui* and *tangi*) but cannot barter, trade, or otherwise exchange fish. In the early years of the settlement a series of court cases was brought by Māori to challenge this parcelling out of rights into either economic or customary phenomena (McCormack 2010). These largely failed and instead fisheries management has been directed towards rigidifying this dichotomy such that it is contemporarily, and ideologically, viewed as natural. At a recent *hui* on fishing rights which I attended, it was eminently clear that coastal Māori *haūu* are still grappling with the marginalizing consequences of this development, and attempts are frequently made to reassert the livelihood aspect, that is the interested exchange component, of their traditional fishing rights.

### **Conclusion**

In an article which perhaps signifies the emergence of a new critique, Le Heron, Rees, Massey, Burges and Thrush advance a provocative analysis of the ubiquitous ‘commercial discourse’ that defines the quota management system in New Zealand. They argue that a culture of compliance surrounds assessments of the Quota Management System (QMS) ‘an unwillingness to reconsider, as a matter of normal scientific and standard commercial practice, the adequacy of the original assumptions upon which the QMS and ITQ [individual transferable quotas] systems are based... Even a questioning of the QMS model as the most pragmatic fisheries management model to sustain fish stocks is rare’ (2008, 58). The authors advocate a reassessment of fisheries management that neither rejects market processes nor calls for a reintroduction of state ownership and regulation. This review is now underway in Iceland where the origins of the rise and spectacular crash of the financial sector in 2008 has been traced back and linked to changes in the fishing industry, namely, the introduction of an individual transferable quota system (Benedictsson and Karlsdóttir 2011). Post-crisis attempts to reform the fisheries management system in Iceland included ideas concerned with the reestablishment of open-access coastal fishing and the gradual recall of ITQs by the state.

This development supports the underlying premise in my comparison of Hawaiian and Māori fisheries, that is, in order to build a fairer and socially just economic system we must pay attention to what people are already doing, examine existing and alternative economic practices and the embeddedness of such practices in social and cultural concerns. In Hawaii, fishing can simultaneously be a means of obtaining a livelihood and a means of fulfilling

cultural obligations, whereas in New Zealand this possibility has been largely closed. Rather than fulfilling Mauss's thesis that 'the life of the monk and the life of Shylock are both to be avoided' (1967), Maori fisheries exemplify the claim that the ideology of self-interested exchange emerges only together with the ideology of the purely disinterested gift.

## Notes

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<sup>2</sup> Firth recognizes in Māori identification with land a type of deep and spiritual connection. However, he refutes Mauss's more metaphysical analysis of Māori exchange, and of the *hau* of the gift which Firth argued was based on an overly subjective interpretation and had shifted the focus from the *hau* of the gift to the *hau* of the giver (1959, pp. 368-370).

<sup>3</sup> 'One can date roughly - after Mandeville and his Fable des Abeilles - the triumph of the notion of individual interest' (Mauss 1967: 74).

<sup>4</sup> Charter boats are required to carry commercial licenses, and report their catch, though under-reporting has been identified as a managerial concern. Some commercial fishers also fish in fish tournaments, further blurring the distinction between commercial and non-commercial.

<sup>5</sup> In 2006, \$755.9 million was spent on retail goods and services by anglers in Hawaii which generated \$772.8 million in total sales within the state, \$380.6 million in value-added, \$253.6 million in income and supported 7, 023 jobs (Gentner & Steinback, 2008). Federal taxes generated by angler purchases amounted to \$56.2 million and the revenue received by state/local governments was \$48.6 million in 2006(Gentner & Steinback, 2008)

<sup>6</sup> In a recent report on seafood consumption and supply in Hawaii commissioned by NOAA, Geslani, Loke, Takenaka and Leung note that 'while non-commercial catch is intended for household consumption, it is, nevertheless, interesting to assess its level of contribution (supply flow) to the retail sector' (2012: 16).

<sup>7</sup> A local delicacy and a culturally important dish generally made of 'ahi (tuna) sashimi, sea salt, soy sauce, kukui nut(candlenut), limu (seaweed) and chopped chilli pepper (many variations of this recipe exist)

<sup>8</sup> Native Hawaiians are socioeconomically deprived relative to other groups within Hawaii.

<sup>9</sup> Each island was divided into several moku, which were then divided into ahupua'a, that is, wedge-shaped land sections that ran from the mountain to some distance out to sea.

<sup>10</sup> Finance refers to the movement of purchasing power between economic actors, either through the extension of credit or the assumption of ownership rights over an asset that is expected to yield future payments. As both credit and assets become tradable, financial markets arise in which the status of owner or creditor can be bought or sold. Financial activity includes dealings in stock and bonds,

mortgages, as well as quotas in fish and carbon credits. Alternatively non-financial activity refers to the production, storage and distribution of goods (such as fish) and the production of non-financial based services (such as teaching).

<sup>11</sup> Financialisation refers to the increasing importance of financial markets, financial motives and financial elites in the operation of the economy and its governing institutions, both at the national and international level (Epstein 2002)

<sup>12</sup> This discussion is based on archival sources and field research with members of this particularly Iwi and field research with different coastal *Iwi* and *hapū* groups.

<sup>13</sup> The largest chunk of revenue earned by TGH is through investment property (71%).

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